

REMARKS

Claims 1, 5 to 15 are in the application.

As a result of the foregoing Amendment, claim 1 has been amended to remove the limitations considered new matter by the Examiner.

Claim 1 now sets forth a first brake pad (2) on a first side of the brake disk (4), wherein the first brake pad (2) is the only brake pad on the first side of the brake disk, and a second brake pad on a second side of the brake disk, wherein the second brake pad (3) is the only brake pad on the second side of the brake disk.

In other words, according to the present invention as claimed in claim 1, a single brake pad is arranged on either side of the brake disk.

The embodiment according to which a single brake pad is arranged on either side of the brake disk is clearly illustrated in the drawing and described in the specification as originally filed.

Accordingly, it is respectfully submitted that the claims of the application no longer contain new matter and reconsideration

and withdrawal of the claim rejections under 35 U.S.C. 112, first paragraph, should be withdrawn.

Applicants also respectfully submit that the reference to Thiel et al. does not disclose or suggest the present invention as claimed.

Accordingly, reconsideration and withdrawal of the rejections of the claims in view of the reference are respectfully requested.

Applicants respectfully submit that claim 1 of the present application is distinguished over the teaching of the reference to Thiel et al. because the reference describes more than one brake pad arranged on one side of the brake disk, as indicated by reference numerals 5 and 7. While the Examiner appears always to refer to pad 5 or 7, it is submitted that in the reference clearly more than one brake pad is arranged on either side of the brake disk.

Therefore, it is submitted that the claims now on file are patentable over the art of record.

Reconsideration and allowance of the present application are respectfully requested.

Any additional fees or charges required at this time in connection with this application may be charged to Patent and Trademark Office Deposit Account No. 11-1835.

Respectfully submitted,

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450, on October 12, 2006.

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